

6. Lake Use Plan

A. Background

This portion of the Rio Salado Management Plan addresses the use of the Town Lake. Lake use is one of the most meaningful public issues surrounding the Rio Salado Project. Numerous opportunities have been and continue to be offered which seek public input about future lake activity. In 1979 the Rio Salado Advisory Commission was formed to provide citizen input and representation into the project. This group has met monthly since then and has been a major contributor to this lake use plan. Additionally, staff members have solicited input during presentations, special events and two Rio Salado public expos. Open communication also has been held with neighborhood associations and business and civic organizations.

A pair of needs assessments, a concession boat operations plan and an overall needs study analyzed demands, capacity and funding sources for recreational facilities, and evaluated boat landings, tie-ups, launch ramps, lake edges and the impact of the bridges. These documents provided a general overview analysis on specific design and proposed operational components for a potential boat operation or mix of operations. This information was condensed and presented at two public meetings (one facilitated by a national boating safety expert, the other by a strategic planner) in 1998, and provided much of the impetus for this document.

B. Purpose and objectives

The purpose of this plan is to:

- Ensure that the Town Lake provides a safe environment for all activities.
- Outline the parameters and regulations governing public recreational activity on the Town Lake.

C. Boundaries and safety

Upon its opening, the Town Lake will have inherent constraints related to the following:

- water quality
- bridge clearance
- access and parking
- depth

Physical constraints, along with the city's commitment to preserving the safety of lake users, will require a strict policy of use restrictions. Some of these restrictions may be revised or lifted when it is demonstrated that proposed uses can be performed safely. The Rio Salado Management team will review and update this plan as necessary to reflect changes in the lake's water quality, structure and operations.

Exceptions to these restrictions may be permitted for special events as outlined in the *Event Management Plan* which appears in the next chapter and for concessions use as outlined in the *Concessions Plan* chapter. Additionally, these restrictions may not apply to uses related

to Rio Salado operations, maintenance, safety and repair.

D. Lake schedule

Efforts will be made to ensure a balance between all Rio Salado constituents and to encourage maximum lake usage. The following rules apply:

- The Town Lake will be accessible for public boating between the hours of sunrise and sunset.
- All public watercraft must be off the lake at sundown.
- Public and commercial access may be restricted for maintenance, operation and repair, and special events and emergencies. Rio Salado staff will determine such closures.
- Notice will be posted no less than 24 hours prior to the closure in non-emergency situations.

E. Types of public watercraft*

1. Permitted

- manually propelled watercraft
- wind driven boats with a maximum mast height of 30 feet from the water level
- a single electric motor

All watercraft requires Arizona State Boat Registration with a valid number and current annual decal unless authorized by the State under reciprocal agreement.

2. Prohibited**

- water craft with internal combustion engines
- inflatable boats less than seven feet in length or which are not constructed of a durable reinforced fabric and do not have at least two separate buoyancy chambers
- any boats requiring full body contact

*A trailered-boat launch ramp will not be available for general public use when the lake is first opened.

**Exceptions, such as boats used for athletic training and events, may be permitted subject to approval of the Rio Salado Project Manager.

F. Watercraft safety rules

The Arizona Revised Statutes, Title 5, Chapter 3-Boating and Water Sports (Exhibit A) and the Arizona State Boating Guide, Article 5, R12-4-501 through R12-4-523 (Exhibit B) will apply to the Town Lake. Additionally:

- Children 12 years of age or younger on board a watercraft shall wear a United States Coast Guard approved Type I, II or III personal flotation device whenever the watercraft is underway. All other boaters are strongly encouraged to wear a life jacket.
- All recreational boats must follow the navigation rules specific to Rio Salado which include, but are not limited to, the following:
 - Recreational boats shall give way to commercial craft, safety craft and law

enforcement or emergency craft.

- Unless being overtaken, powered boats (electric motor) shall give way to manually powered boats and sailboats.
- Unless being overtaken, sailboats shall give way to manually powered craft.
- All boat operators shall maintain a proper lookout and proceed at a safe speed when underway.
- Boats underway shall stay at least 50 feet from drifting or anchored boats. If approaching or coming alongside another boat, the operator will use caution and approach at a safe, controlled speed.
- The operator of a boat is responsible to do whatever is necessary to avoid collision.
- No boats are permitted beyond the upstream or downstream buoy line, which marks the dam's boundaries.
- Anchoring or cruising within 100 feet of designated launch areas is prohibited. Boats leaving or entering launch sites shall do so as quickly as possible to avoid congestion.
- Tying or otherwise fastening a boat to any bridge pier or navigation buoy is prohibited.
- Sailboat operators shall use caution when navigating around and under bridges which might have limited clearance. Navigate in these areas at your own risk.
- During inclement weather, all boats shall immediately return to a safe site.
- During issued warnings, all boats shall immediately return to a safe site.
- Boat operators shall obey all warning signals issued by local authorities.
- No-wake speed is required.
- No person who is under the influence of liquor or non-prescription drugs shall operate any watercraft.
- Excessive noise is absolutely prohibited.
- Watercraft owners and operators should maintain public liability insurance covering water and boating hazards.
- Owners of watercraft are liable for the safety of their passengers and for damages resulting from any boating mishaps.
- All watercraft must be equipped with at least one U.S. Coast Guard approved personal flotation device, Type I, II or III for each person on board. Such devices must be in good and serviceable condition, readily accessible and must fit the person for whom they are intended.
- All watercraft 16 feet or more, except a canoe or kayak, shall have one Type IV throwable personal flotation device and one Type I, II or III for each person on board.
- No overloading boat capacity.

G. Town Lake watercraft safety and lake use program

Prior to usage, all watercraft operators shall be required to attend a lake use safety orientation program for the Rio Salado Town Lake, administered by the Rio Salado Division. This will be an annual orientation program to be conducted in large groups and/or on an individual basis and subject to a nominal fee. Upon completion, a boat may be permitted for use by the operator on the Town Lake subject to the conditions that appear in Item VI.

1. Program Goals

- Provide a safe, quiet and clean boating experience for all that use the lake. This may occur through a boat rental experience, a boating education class, an athletic training program or a privately owned boat.
- Develop a program that best meets the needs of our community.
- Identify the users of the lake.
- Allocate costs associated with boater safety and lake use to the appropriate areas.

2. Watercraft Registration

The purpose of registration is to be able to track the types of boats that utilize the lake, where the boats come from and the quantity of boats on the lake. This information will be used in the development of the recreational program and facilities, and to identify staffing needs to best meet the community's interests.

- All watercraft requires Arizona State Boat Registration with a valid number and current annual decal unless authorized by the State under reciprocal agreement.
- All watercraft must be registered by the Town Lake Operations Center and display a daily or annual registration sticker on the right, rear side of the watercraft for easy identification.

H. Fees

The cost of providing services for users of the lake will be borne predominately by those users. Tempe residents who do not choose to take advantage of lake opportunities will not be expected to bear responsibility for subsidizing services for resident and especially non-resident users.

1. Definitions

- Tempe Resident – an individual/family owning a watercraft, registered with the Arizona State Game and Fish Department to a Tempe address.
- Tempe based non-profit organization – a group or organization benefiting the citizens of Tempe and having a majority of its membership comprised of Tempe residents.

2. Registration and use fees

Town Lake users will be charged an annual fee for the boater certification and registration decal sticker. Additionally, a Use Fee will be assessed to all non-Tempe resident owned watercraft. An annual fee is available for watercraft used frequently on the Town Lake. Fees will be assessed based on the following categories and their anticipated use of the Lake:

- **Category I Tempe resident owned watercraft**
Certification/registration fee
No use fee

- **Category II Tempe-based Non-profit Organizations**
Certification/registration
Use fee
- **Category III Other Non-profit Organizations**
Certification/registration
Use fee
(*limited to six watercraft per organization*)
- **Category IV Educational/Training/Intercollegiate Athletic Use**
Certification/registration/use fee
Educational programming use fee
 - less than six classes
 - per semester
- **Category V Non-Tempe resident owned boats**
Certification/registration
Use fee
- **Category VI Concessions surcharge**
Certification/registration
Use fee
 - skilled/unskilled
 - piloted
- **Category VII Event fees**
(See Event Management Plan for fee structure)

The fee structure will be adjusted annually, by the Rio Salado Operations Team to cover actual expenses of the Boater Safety Program and, where applicable, lake operating and maintenance expenses. Based on the levels of use and the community financial contribution, the following additional policies will apply to the cost recovery program:

- No more than 25 percent of the Boater Safety and Lake Use Program will be assessed to categories I, II, III and IV.
- No less than 75 percent of the Boater Safety and Lake Use Program will be assessed to categories V, VI and VII.

I. Contact with Water

During the initial phase of operation, the City of Tempe will initiate an extensive water quality testing program. Pending the results of this program, body contact with the water shall be minimized and the following activities are prohibited during the first year of

operation:

- swimming
- voluntarily entering the water from a boat
- wind surfing

J. Fish stocking

Fish stocking is not contemplated in the first year of lake operation, however, it may be introduced later if water quality permits.